

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: the prior art rejection under 35 USC 103(a) was reversed by the board on 25 February 2010 because the board stated that it would not have been obvious to use a hydrophobic substrate as taught by Klein as a substrate for DNA. The obviousness type double patenting rejection over 09/990,049 was not argued by appellant and was therefore affirmed by the board in the same decision. However, the obviousness type double patenting rejection was based on the same logic as the prior art rejection and has therefore been withdrawn by the examiner. With no further rejections standing, the application is now placed in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELANIE YU whose telephone number is (571)272-2933. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Shibuya can be reached on (571) 272-0806. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Melanie Yu/
Primary Examiner, Art Unit 1641